



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Karen Thomas, Case Manager
Joel Lawson, Associate Director Development Review

DATE: October 25, 2011

SUBJECT: BZA Case 18268 – 4318 Sheriff Road, NE

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of variance relief from the parking requirement for the proposed church pursuant to § 2101, where 4 on-site parking spaces would be required and no spaces would be provided.

II. LOCATION AND SITE DESCRIPTION

Address	4318 Sheriff Rd NE
Legal Description	Square 5097 Lot 0051
Ward/ANC	ANC 7D
Lot Characteristics	Flat rectangular lot, 4,250 square feet in area, with no alley access and without an existing curb cut for vehicular access to the lot.
Zoning	C-1
Existing Development	Vacant lot. Formerly developed with a single-story wooden frame church.
Adjacent Properties	To the west is an existing residential structure in the R-2 District. To the east, a commercial structure in the C-1 District. The lot abuts residential vacant lots at its north property line which forms the boundaries of the R-2 District. A large distribution and warehouse site is located at the corner of Sheriff Road and Minnesota Avenue, the latter of which abuts the CSX railway line.
Surrounding Neighborhood Character	The property is located in the Deanwood neighborhood. The immediate vicinity is a mixture of zone districts, including the R-2 and C-M-1 Districts to the west and southwest of the property, with properties in the C-1 District directly across Sheriff Road. There are many undeveloped and underdeveloped properties in the neighborhood.

III. APPLICATION IN BRIEF

The applicant, Joshua Temple First Born Church, proposes to rebuild its former church which was recently demolished due to structural damage. The certificate of occupancy issued in 1979 authorized the use as a church with seating for 65 persons and the property has never accommodated on-site parking for the former 100 year old structure. The Zoning Administrator has determined that since the previous structure pre-dated the 1958 Zoning Regulations, the new structure would be grandfathered for seven (7) required parking spaces (Exhibit 7 of the applicant's submission). The proposed single-story church structure including seating in the sanctuary and the fellowship hall would seat a maximum of 104 persons in 730 sq.ft. Since



there would be no fixed seating, eleven (11) on-site spaces would be required per the existing regulations. Therefore, accounting for the seven grandfathered spaces, four (4) on-site spaces would be required.

The applicant has requested variance relief or special exception relief in the alternative, subject to the Board's preference. OP has reviewed the request under the criteria pursuant to Section 2101 for variance relief from the on-site parking requirements.

IV. ZONING REQUIREMENTS and REQUESTED RELIEF

C-1 Zone	Regulation	Existing	Proposed ¹	Relief
Lot Area (sq.ft.)	None prescribed	6,671 sq.ft.	6,671 sq.ft.	None required
Floor Area Ratio § 771	1.0	Not provided	Not provided	None required
Lot Occupancy § 772	100 % max.	44 %. (previous structure)	77 %	None required
Parking § 2101 Church	1 per 10 seats of occupancy capacity in the main sanctuary; where the seats are not fixed, each 7 ft ² usable space for seating is considered 1 seat	None	None	Relief required

V. OFFICE OF PLANNING ANALYSIS

a. Variance Relief from § 2101 – On-Site Parking

i. Exceptional Situation Resulting in a Practical Difficulty

The previous church structure built prior to the existing regulations occupied 44% of the lot and never provided on-site parking for its church use. The site's small lot area, its lack of an existing curb cut or rear alley would create a practical difficulty for the applicant in providing surface parking at the rear, as there would be no available access to a parking area on the lot. The provision of a curb cut, if approved through public space review, with a required driveway width of 14 feet would severely constrain the available area on the site to accommodate the proposed structure within the confines of the FAR limit. This would also be impractical for the church's function even if it could be designed on such a small lot.

Therefore, the site's exceptional situation, including its existing condition whereby there is no alley access and its small lot size, in combination create a practical difficulty for the applicant in satisfying the on-site parking requirement for the new church structure.

ii. No Substantial Detriment to the Public Good

No substantial detriment to the public good is anticipated as the church site has historically used the available on-street parking and available nearby parking facilities for its use. The lack of on-site parking is not anticipated to cause undue demand for on-street parking, as church members who would primarily arrive by car would have access to shared-parking spaces across the street from the church at the Republic National Distributing Company. The church has included a signed agreement with the company for twelve (12) spaces for use by church attendees during regularly scheduled worship services,

¹ Information provided by applicant.

including on Sundays from 9 am to 4 pm. At other times however, the church would have to provide a written request to use that facility for other events. The applicant did not provide additional information regarding any other events and their times typically associated with the church. Visitors would also be able to access available on-street parking in the church's vicinity and the church is located on a well-travelled Metrobus route (U4) along Sheriff Road and Minnesota Avenue. The site is also located equidistant (within less than one mile) between the Deanwood and Minnesota Avenue Metro Stations. Two other churches across Sheriff Road provide their own on-site spaces, which would reduce some demand for on-street parking during church services on Sundays.

iii. No Substantial Harm to the Zoning Regulations

The Zoning Regulations would not be substantially harmed if relief is granted from the on-site parking requirement for the proposed church use. Any other commercial use would also require variance relief from the parking requirements due to the lot's small size and the lack of the preferred use of an alley to access parking which may be provided at the rear of the site. A church use, without on-site parking has existed for approximately 100 years at this location. There is access to public transportation within walking distance of the church and the signed shared parking agreement would reduce some of the on-street parking demand that may be created by some attendees of the proposed new church.

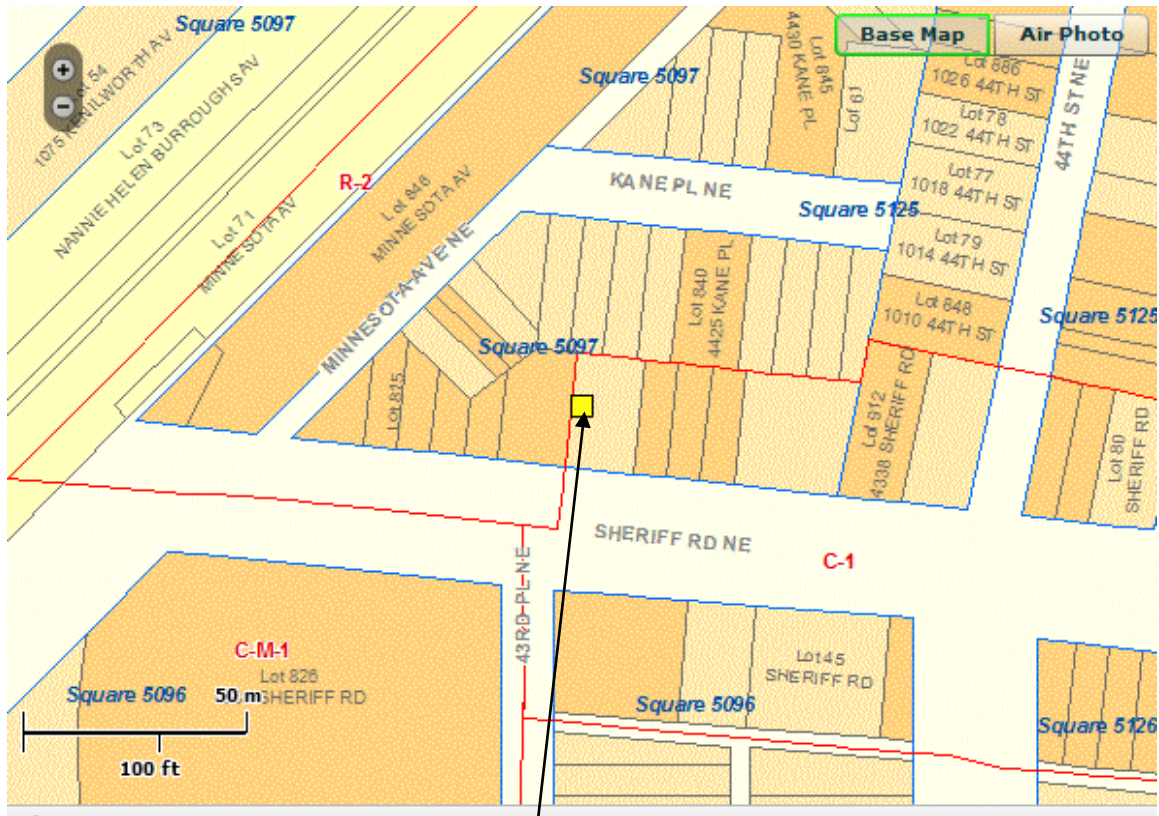
VI. COMMENTS OF OTHER DISTRICT AGENCIES

The District Department of Transportation (DDOT) commented to OP via email on October 14, 2011 that there were no concerns with respect to adverse impacts if relief is granted.

OP is not aware of comments from any other District agency.

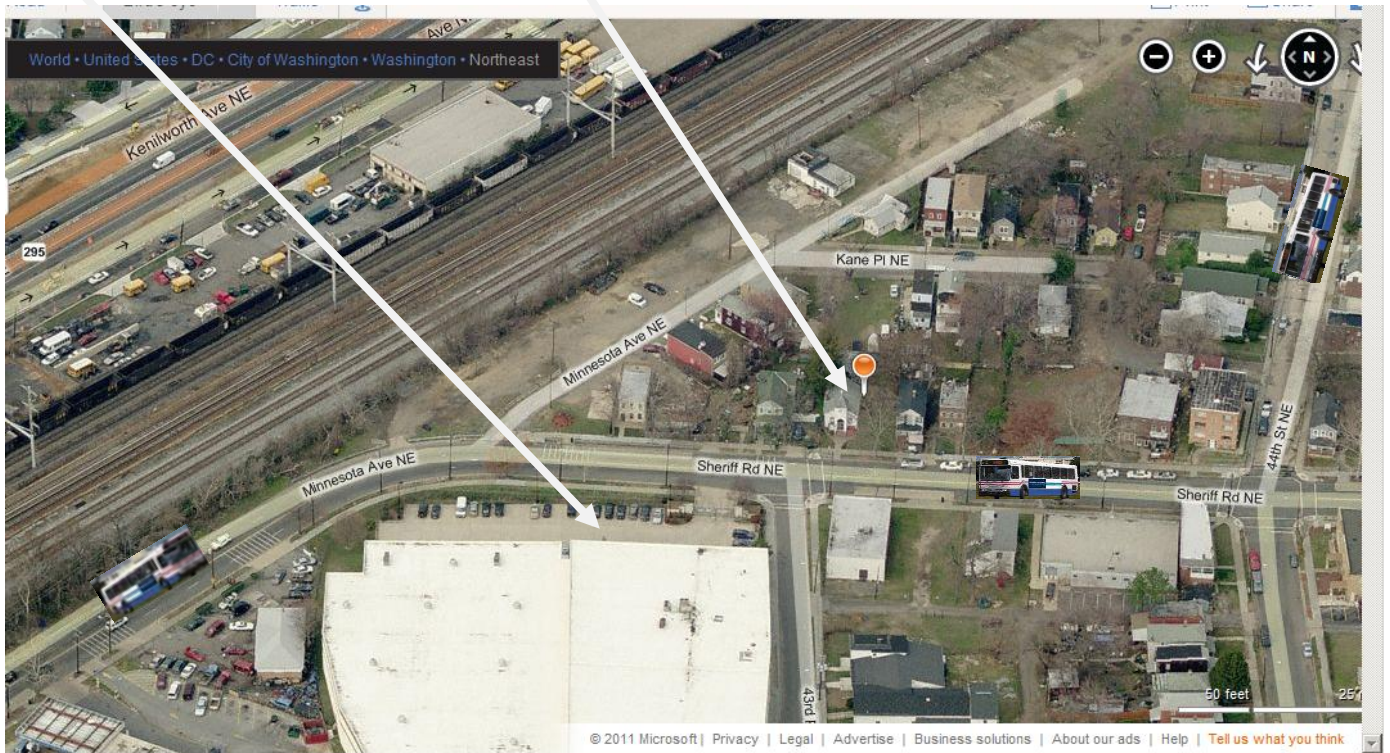
VII. COMMUNITY COMMENTS

The applicant has informed OP that ANC 7D voted unanimously to approve the requested relief from the required on-site parking at its meeting held on October 11, 2011.



Leased parking

Church Site



Zoning Map and Aerial of 4318 Sheriff Road NE